REMARKS

At the outset, the Applicant thanks the Examiner for the thorough review and consideration of the pending application. The Office Action dated December 18, 2006 has been received and its contents carefully reviewed.

Claims 1-5, 7, 8 and 10 are hereby amended and claims 13-17 are hereby newly added. Claims 11 and 12 are withdrawn per Applicant's provisional election of Group I, claims 1-10 readable thereon, in Response to Restriction Requirement of September 19, 2006. Accordingly, claims 1-10 and 13-17 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

The Applicant thanks the Examiner for taking the time to speak with the Applicant's Representative on April 5, 2007. The substance of the interview is set forth in the Remarks and constitutes a record of the interview. We discussed the rejection of claims 1-10 under 35 U.S.C. § 112, second paragraph and how the present invention distinguished over the prior art.

The Office Action rejected claims 1-10 under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the Office Action alleges that "the word 'means' is preceded by the word(s) 'memory' in an attempt to use a 'means' clause to recite a claimed element as a means for performing a specified function. However, since no function is specified by the word(s) preceding 'means,' it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph." See pages 2 and 3 of the Office Action. The Applicant has amended claim 1 and respectfully requests that the Examiner withdraw the 112 rejection.

Moreover, the Office Action alleges that there in insufficient antecedent basis for the limitation of "the displayed parameters," because it is unclear "which of the displayed parameters applicant is referring." See page 3 of the Office Action. As discussed during the interview with the Examiner, Applicant's Representative pointed out that "the displayed parameters" could be either the default parameters or the customized parameters, depending on when the execution of the selected course is initiated, thus the limitation of "the displayed

parameters" has adequate antecedent basis. Accordingly, the Applicant respectfully requests that the Examiner withdraw the 112 rejection.

The Office Action rejected claims 1-9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,647,231 to *Payne et al.* (hereinafter "*Payne*"). The Applicant respectfully traverses this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, "the reference must teach every element of the claim." The Applicant respectfully submits that *Payne* does not teach every element recited in claims 1-9 and therefore cannot anticipate these claims. More specifically, claim 1 recites a method of controlling a washing machine which includes "displaying default parameters of the course selected in said selecting step" and "selecting the memory function a first time, wherein the selection of the memory function clears the displayed default parameters and displays the customized parameters corresponding to the selected course in said first selecting step." *Payne* fails to disclose at least these features.

The Office Action alleges that *Payne* teaches "a washing machine having a memory for storing default washing parameters and customizing the washing parameters via input means for selectively performing washing programs." Column 1, lines 44-54 and column 9, lines 5-6 are relied upon to teach these limitations, see page 4 of the Office Action. Whether or not this is true, *Payne* fails to disclose "displaying default parameters of the course selected in said selecting step" and "selecting the memory function a first time, wherein the selection of the memory function clears the displayed default parameters and displays the customized parameters corresponding to the selected course in said first selecting step."

As discussed during the interview with the Examiner, Applicant's Representative pointed out that *Payne* did not teach or suggest "displaying default parameters of the course selected in said selecting step." The Examiner argued that *Payne* disclosed updating a display in step 106, thus *Payne* was considered to teach "displaying default parameters of the course selected in said selecting step." Applicant respectfully disagrees.

Payne discloses updating "an associated user display (not shown) to indicate the status of the machine." See column 9, lines 5-8. Displaying the status of the machine is not the same as "displaying default parameters of the course selected in said selecting step," as claimed in claim 1. Thus, *Payne* fails to disclose every feature required by claim 1.

In addition, since *Payne* does not disclose "displaying default parameters," *Payne* cannot possibly teach "selecting the memory function a first time, wherein the selection of the memory function clears the displayed default parameters and displays the customized parameters corresponding to the selected course in said first selecting step," as further claimed in claim 1.

For at least the aforementioned reasons, the Applicant respectfully submits that claim 1 is patentably distinguishable over *Payne*, and request that the rejection be withdrawn. Likewise, claims 2-9, which depend from claim 1 are also patentable for at least the same reasons.

The Office Action rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *Payne* in view of U.S. Patent Application No. 2002/0163440 to *Tsui*. The Applicants respectfully traverse the rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to "establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art." The Applicant submits that neither *Payne* nor *Tsui* does not teach or suggest each and every element recited in claim 10. As previously discussed, *Payne* does not disclose all the features recited in claim 1, the base claim from which claim 10 depends. Moreover, *Tsui* does not address the shortcomings of *Payne*. In fact, *Tsui* is only relied upon to teach that "it is known to press and hold a controller button in an appliance control system to store desired parameters in a memory." See page 5 of the Office Action. Therefore, the Applicant submits that claim 10 is patentably distinguishable over the cited references and requests that the rejection be withdrawn.

Likewise, neither *Payne* nor *Tsui* teach or suggest every feature recited in newly added claims 13-17.

The application is in condition for allowance. Early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: May 17, 2007

Respectfully submitted,

By Michael K. August (Reg. No. 46,522)

Mark R. Kresloff
Registration No.: 42,766
McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant

DC:50454879.2